



To the Honorable Council
City of Norfolk, Virginia

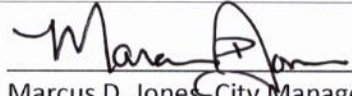
January 26, 2016

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Change of Zoning from R-8 (Single-Family) to Conditional R-9 (Single-Family) – 1345 Melrose Parkway – Jon Rizzo**

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **PH-1**

I. Staff Recommendation: Denial.

- Staff recommended denial based on the following criteria:
 - The proposal's inconsistency of the City's adopted Future Land Use Map within *plaNorfolk2030*.
 - The results of the lot pattern analysis showing the inappropriateness of the proposed lot sizes.
 - The inability to ensure that the new homes will not increase the opportunities for more transient housing within the neighborhood due to the close proximity to ODU.

II. Commission Action: By a vote of **6 to 0, the Planning Commission recommends **Approval**.**

The Planning Commission voted for approval based on the developer agreeing to obtain a zoning certificate from the City's Senior Neighborhood Design Specialist to ensure architectural compatibility with the other homes, and the applicant's promise that the homes would be owner-occupied.

III. Request: Change of Zoning from R-8 (Single-Family) to Conditional R-9 (Single-Family)

IV. Applicant: Jon Rizzo

V. Description:

- This application requests to rezone property to allow a resubdivision into two parcels and the development of two single-family homes on the site.
- 57 percent of the single-family homes are likely not owner-occupied, according to City Real Estate records which show property tax bills having different a mailing address than the address of the homes.
- A rezoning to R-9 would also establish an undesirable precedent which may encourage potential rezoning requests in the future.

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Staff Report to CPC dated December 10, 2015 with attachments
- Proponents and Opponents
- Ordinance

Planning Commission Public Hearing: December 10, 2015

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Matthew Simons, AICP, CZA, CFM

Staff Report	Item No. 5	
Address	1345 Melrose Parkway	
Applicant	Jon Rizzo	
Request	Change of Zoning	Change of Zoning from R-8 (Single-Family) to Conditional R-9 (Single-Family)
Property Owner	Margaret R. Wingfield	
Site Characteristics	Site Area	9,087 square feet
	Zoning	R-8; Institutional Residential Impact Overlay (IRIO)
	Future Land Use Map	Single-Family Traditional
	Character District	Traditional
	Neighborhood	Larchmont/Edgewater
Surrounding Area	North	R-8/IRIO: single-family homes, duplex, fourplex
	East	R-8/IRIO: single-family homes
	South	R-8/IRIO: Wesleyan House, Baptist Collegiate Ministries; IN-2 (Institutional Campus): ODU
	West	R-8/IRIO: single-family homes



A. Summary of Request

- This application requests to rezone property to allow a resubdivision into two parcels and the development of an additional single-family.
 - The site would remain within the Institutional Residential Impact Overlay (IRIO) district, which requires extra off-street parking to be provided given the proximity of the site to Old Dominion University.
- The site is located within the Larchmont/Edgewater neighborhood, near the northeast corner of Melrose Parkway and Quarantine Road.

B. Plan Consistency

- *plaNorfolk2030* identifies this site as Single-Family Traditional.
 - The Identifying Land Use Strategies chapter of *plaNorfolk2030* identifies the Single-Family Traditional land use category as a location for single-family detached development characterized by houses set back a moderate distance from the street with driveways leading to rear garages on lots of 50 to 70 feet wide and approximately 4,000 to 7,500 square feet.
- Given that the proposed rezoning intends to permit the construction of two single-family homes on lots less than 50 feet wide, the proposed rezoning is inconsistent with *plaNorfolk2030*.

C. Zoning Analysis

i. General

The site is located within the Larchmont/Edgewater neighborhood, an area developed primarily with single-family homes, with some multi-family and institutional uses to the south near Old Dominion University.

ii. Lot Pattern Analysis – 1345 Melrose Parkway

- The site is currently zoned R-8 which requires a minimum lot width of 50 feet and a minimum lot size of 5,000 square feet.
- The applicant is proposing to resubdivide the existing 90 foot wide lot into two lots, each with approximately 45 feet in width and less than 5,000 square feet in lot area.
- A Lot-Pattern Analysis shows the following range of similar residential lots and their percentages within the area:

Lot Pattern Analysis (R-8 to R-9)

Lot-Size Range	Within 1,000 feet radius		Along same block (Melrose Parkway)	
	Number	Percentage	Number	Percentage
Lots in character with the proposal or smaller (Less than 50 ft. in width, or less than 5,000 sq. ft.)	30	18%	27	29%
Lots in character with the existing R-8 zoning (Greater than or equal to 50 ft. in width, and greater than or equal to 5,000 sq. ft. of lot area)	139	82%	66	71%

- Melrose Parkway is located one block north of Old Dominion University.
 - The 1300-1500 blocks of Melrose Parkway (Bluestone Avenue to Powhatan Avenue) consists of 68 single-family homes and several nonconforming duplexes and multi-family dwellings.
 - 57 percent of the single-family homes are likely not owner-occupied, according to City Real Estate records which show property tax bills having different a mailing address than the address of the homes.
 - The proposed homes on the site will have parking located in the rear, sufficient to accommodate a parking space for each bedroom (four bedrooms per home).
- The proposed rezoning would be inappropriate for this area given that the lot pattern consists predominately of lots larger than the R-9 standards.
 - R-9 would consist of lots having less than 50 feet in width, and less than 5,000 square feet of lot area.

iii. Parking

- The site is located within the Traditional Character district which requires two parking spaces per dwelling unit.
- The site is located within the Institutional Residential Impact Overlay (IRIO) district which requires three parking spaces per dwelling unit.
- The IRIO district also requires that parking spaces shall be required with sufficient maneuvering space so any automobile may be moved without moving another automobile or without maneuvering or parking on any required yard, public street, alley or sidewalk.
 - The *Zoning Ordinance* exempts single-family detached dwelling units from the additional off-street parking requirements of the IRIO.
 - However, the applicant has proffered a site plan layout that meets the requirements of the IRIO district; providing three off-street parking spaces per dwelling unit.

iv. Flood Zone

The property is located in the X Flood Zone, which is a low risk flood zone.

D. Transportation Impacts

Institute of Transportation Engineers figures estimate that the net addition of one new single-family home on this site will generate 10 additional vehicle trips per day.

E. Impact on the Environment

- The new houses will comply with all standards set forth in the *Zoning Ordinance*, and will comply with the City's stormwater requirements in order to mitigate any potential impacts of the development.
- Two trees will be required to be either preserved or installed and maintained for each lot as well as three feet of foundation plantings along the front facing façades of each home prior to the proposed homes receiving a Certificate of Occupancy.

F. Impact on Surrounding Area/Site

- Melrose Parkway between Bluestone Avenue and Powhatan Avenue consists of primarily of original older homes.
- The street has a few newer homes and styles, however the majority of the homes are in keeping with the one-story bungalow style that the applicant is proposes.
 - The Larchmont/Edgewater neighborhood is a stable community and is not considered to be in transition.
 - The neighborhood consists primarily of single-family homes that are owner-occupied.
- The proposed development will result in two new lots that are smaller than the majority of lots in the neighborhood, which may have a negative impact on the neighborhood.
 - The development of the new homes will be required to obtain a zoning certificate, in order to help ensure that the proposed homes are compatible with the surrounding architectural character of the neighborhood.
- The additional homes on the site will increase the availability of dwellings units within the Larchmont/Edgewater neighborhood, on lots smaller than what would otherwise be permitted along this portion of Melrose Parkway.

G. Payment of Taxes

The owner of the property is current on all real estate taxes.

H. Civic League

Notice was sent to the Larchmont Civic League on October 27.

I. Communication Outreach/Notification

- Legal notice was posted on the property on November 3.
- Letters were mailed to all property owners within 300 feet of the property on November 25.
- Legal notification was placed in *The Virginian-Pilot* on November 26 and December 3.

J. Recommendation

- Approval of a rezoning which is out of character with the existing lot pattern would impose an inappropriate lot pattern that is out of character with the majority of residential lots located along this portion of Melrose Parkway.
- A rezoning to R-9 would also establish an undesirable precedent which may encourage potential rezoning requests in the future.
- The additional dwellings units will be located directly adjacent to Old Dominion University and the units appear likely to represent a further encroachment of students within the single-family neighborhood.
- According to the Community Resource Officer for the Larchmont/Edgewater neighborhood, issues with the student renters have been associated with reoccurring complaints that are routinely processed by the City's Bureau of Neighborhood Quality as well as the Norfolk Police Department.
- For all of these reasons Staff recommends that the request for rezoning be **denied**.

Conditions as Proffered by the Applicant

1. The site shall be developed in accordance the conceptual site plan entitled "Conceptual Site Plan of Edgemere lots 177 and 178 and a portion of Norfolk Waterfront Devel't Co., Block 144, Lots 39, 40, 41 and 42, GPIN: 142930205, Norfolk, Virginia, for Jon Rizzo, JRML Associates, Inc.," as prepared by Site Improvement Associates, Inc., dated December 16, 2015, attached hereto and marked as "Exhibit A."
2. No building permit shall be issued until a zoning certificate has been granted by the Department of City Planning, which verifies that the proposed single-family dwellings to be built on the parcels are consistent with the prevailing pattern in the neighborhood with respect to the footing, massing, scale, appearance, fenestration, roof lines and other exterior elements.
3. To offset stormwater impacts of the development, the following landscaping shall be installed prior to the issuance of a Certificate of Occupancy:
 - i. Foundation plantings a minimum of three feet in depth shall be provided and maintained for foundations facing the public right of way.
 - ii. Two trees shall be preserved or planted and maintained for each new zoning lot created.

Attachments

Location map
Zoning map
plaNorfolk2030 Future Land Use map
Lot Pattern Analysis map
Application
Notice to the civic league

Proponents and Opponents

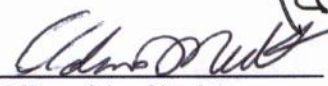
Proponents


Jon Rizzo – Applicant
6239 Powhatan Avenue
Norfolk, VA 23508

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 1345 MELROSE PARKWAY FROM R-8 (SINGLE-FAMILY RESIDENTIAL) TO CONDITIONAL R-9 (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 1345 Melrose Parkway is hereby rezoned from R-8 (Single-Family Residential) District to conditional R-9 (Single-Family Residential) District. The property which is the subject of this rezoning is more fully described as follows:

Property fronts 90 feet, more or less, along the southern line of Melrose Parkway, beginning 95 feet, more or less, from the western line of Quarantine Road and extending westwardly; premises numbered 1345 Melrose Parkway.

Section 2:- That the property rezoned by this ordinance shall be subject to the following condition:

- (a) The site shall be developed in accordance with the conceptual site plan entitled "Conceptual Site Plan of Edgemere lots 177 and 178 and a portion of Norfolk Waterfront Devel't Co., Block 144, Lots 39, 40, 41 and 42, GPIN: 1429309205, Norfolk, Virginia, for Jon Rizzo, JRML Associates, Inc.," as prepared by Site Improvement Associates, Inc., dated December 16, 2015, attached hereto and marked as "Exhibit A."
- (b) No building permit shall be issued until a zoning certificate has been issued by the Department of City Planning verifying that the proposed single-family dwellings to be built on the property are consistent with the prevailing pattern in the neighborhood with respect to the footing, massing, scale, appearance, fenestration, roof lines and

other exterior elements.

(c) To offset stormwater impacts of the development, the following landscaping shall be installed prior to the issuance of a Certificate of Occupancy:

- (1) Foundation plantings a minimum of three feet in depth shall be provided and maintained for foundations facing the public right of way.
- (2) Two trees shall be preserved or planted and maintained for each new zoning lot created.

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

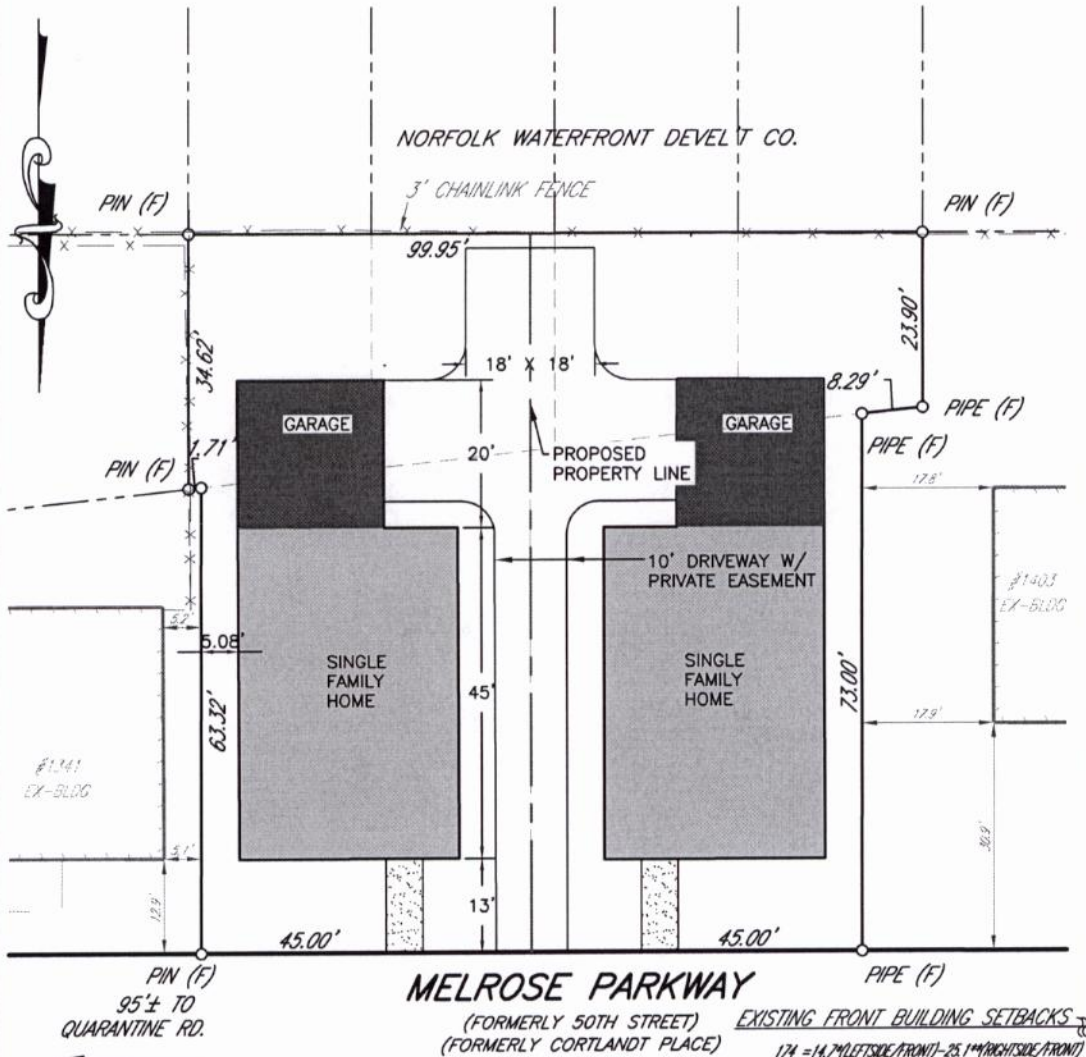
Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:
Exhibit A (2 pages)

THIS IS TO CERTIFY THAT ON SEPTEMBER 22, 2015, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS ARE AS SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN.

NOTES:

- REFERENCE PLAT: MAP BOOK 3 PAGE 11, MAP BOOK 9, PAGE 47
- PROPERTY IS LOCATED IN FLOOD ZONE X AS SHOWN ON FEMA MAP 5101040090F DATED SEPTEMBER 1, 2009.
- PROPERTY ADDRESS: 1345 MELROSE PARKWAY, NORFOLK, VIRGINIA 23508-1758



CONCEPTUAL SITE PLAN
OF
EDGEMERE
LOTS 177 AND 178
AND A PORTION OF
NORFOLK WATERFRONT DEVELOPMENT CO.
BLOCK 144, LOTS 39, 40, 41 AND 42
GPIN: 1429309205
NORFOLK, VIRGINIA
FOR
JON RIZZO, JRML ASSOCIATES, INC.
SCALE: 1"=20'

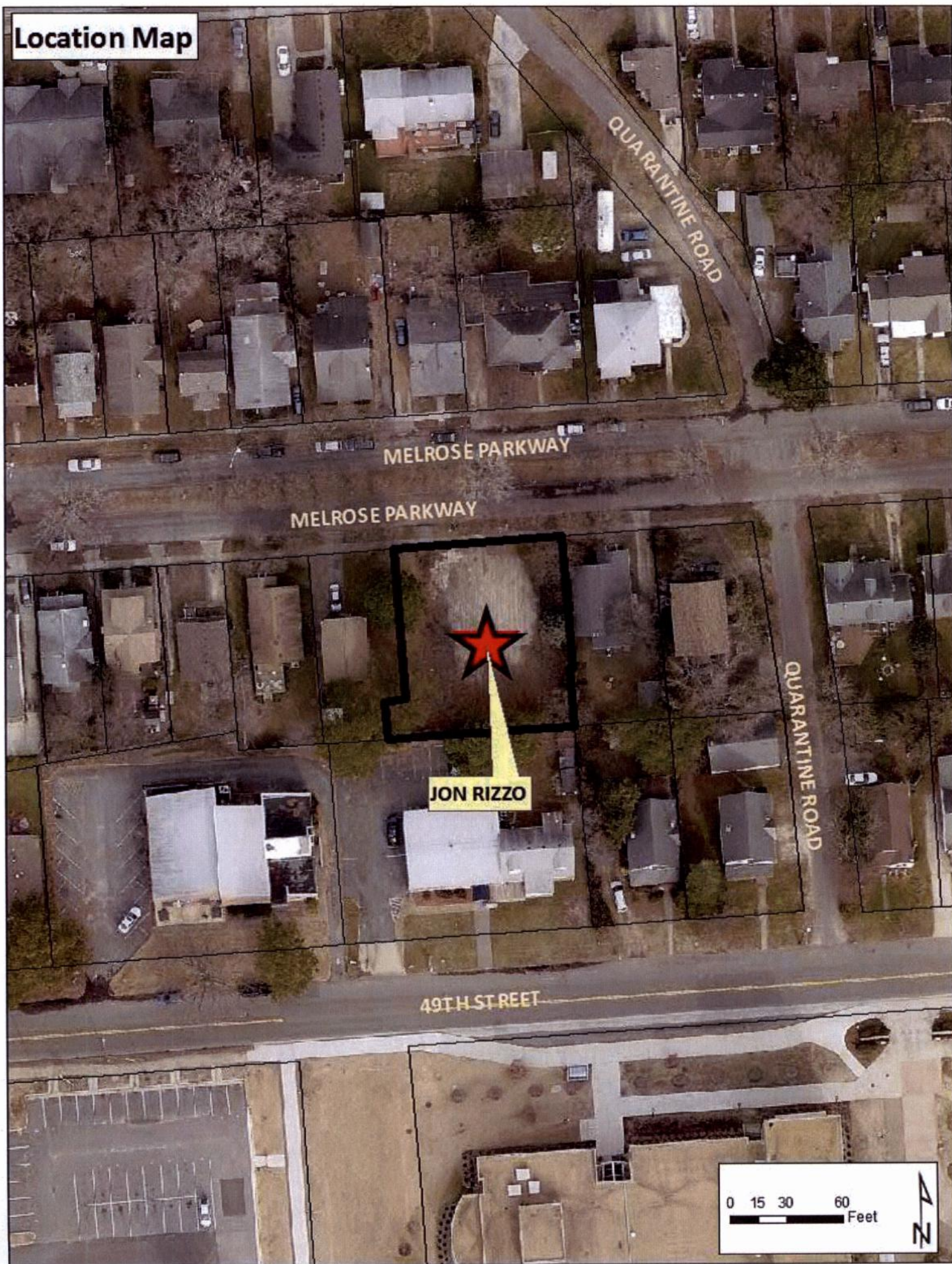
EXISTING FRONT BUILDING SETBACKS

174	=14.7' (LEFTSIDE/FRONT) - 25.1' (RIGHTSIDE/FRONT)
173	=15.8' - 16.0'
172	=16.0' - 16.1'
171	=16.2
170	=9.7

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Civil Engineers, Surveyors, & Site Contractors
Where Engineering and Construction Come Together

SITE IMPROVEMENT ASSOCIATES INC.
Civil Engineers, Surveyors & Site Contractors
800 Juniper Crescent, Suite A, Chesapeake, Va. 23320
OFFICE: 757.671.9000 FAX: 757.671.9288

Location Map

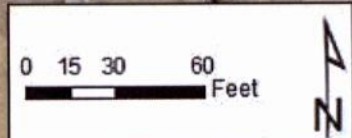


MELROSE PARKWAY

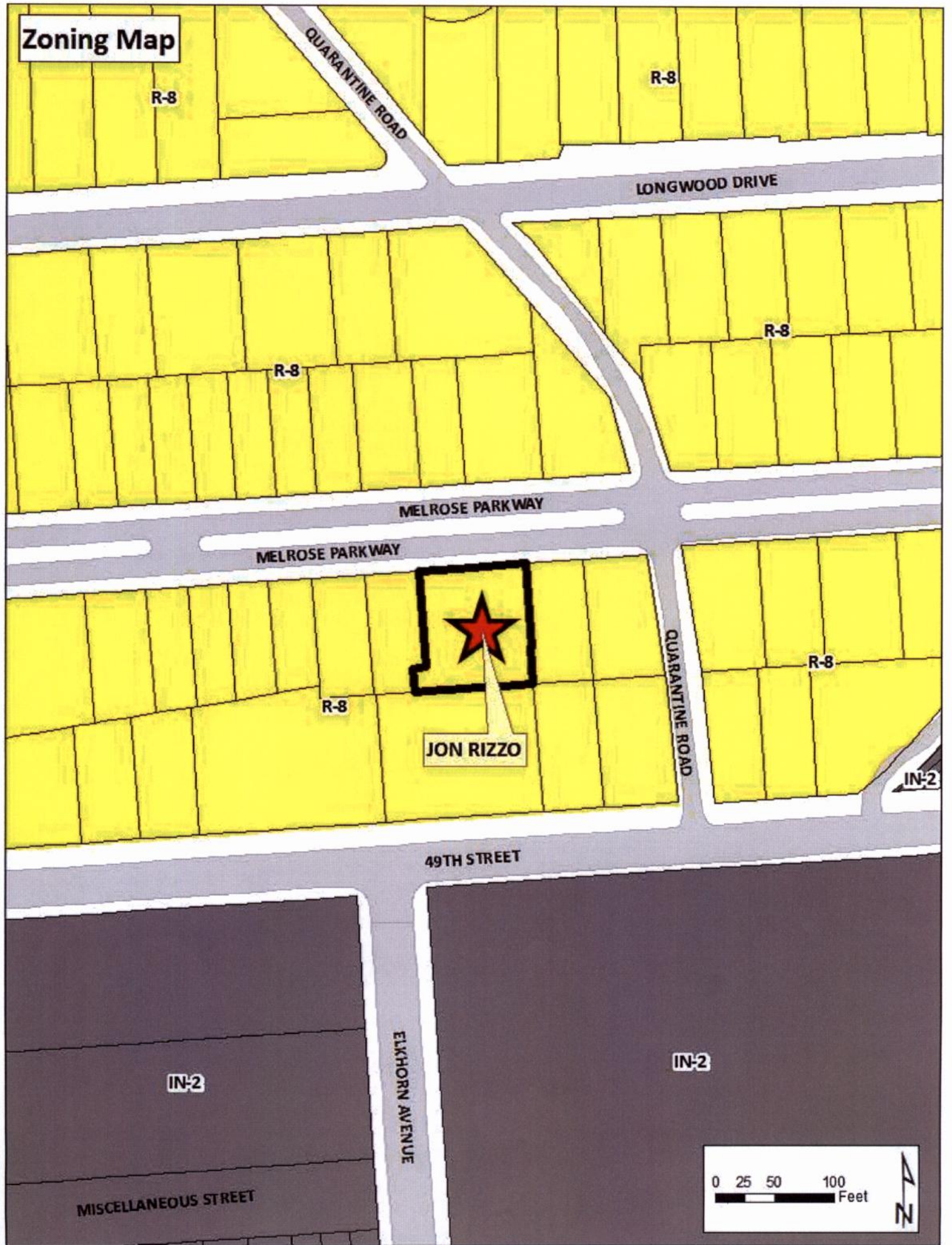
MELROSE PARKWAY

JON RIZZO

49TH STREET



Zoning Map



Future Land Use Map

QUARANTINE ROAD

LONGWOOD DRIVE

MELROSE PARKWAY

MELROSE PARKWAY

QUARANTINE ROAD

49TH STREET

ELKHORN

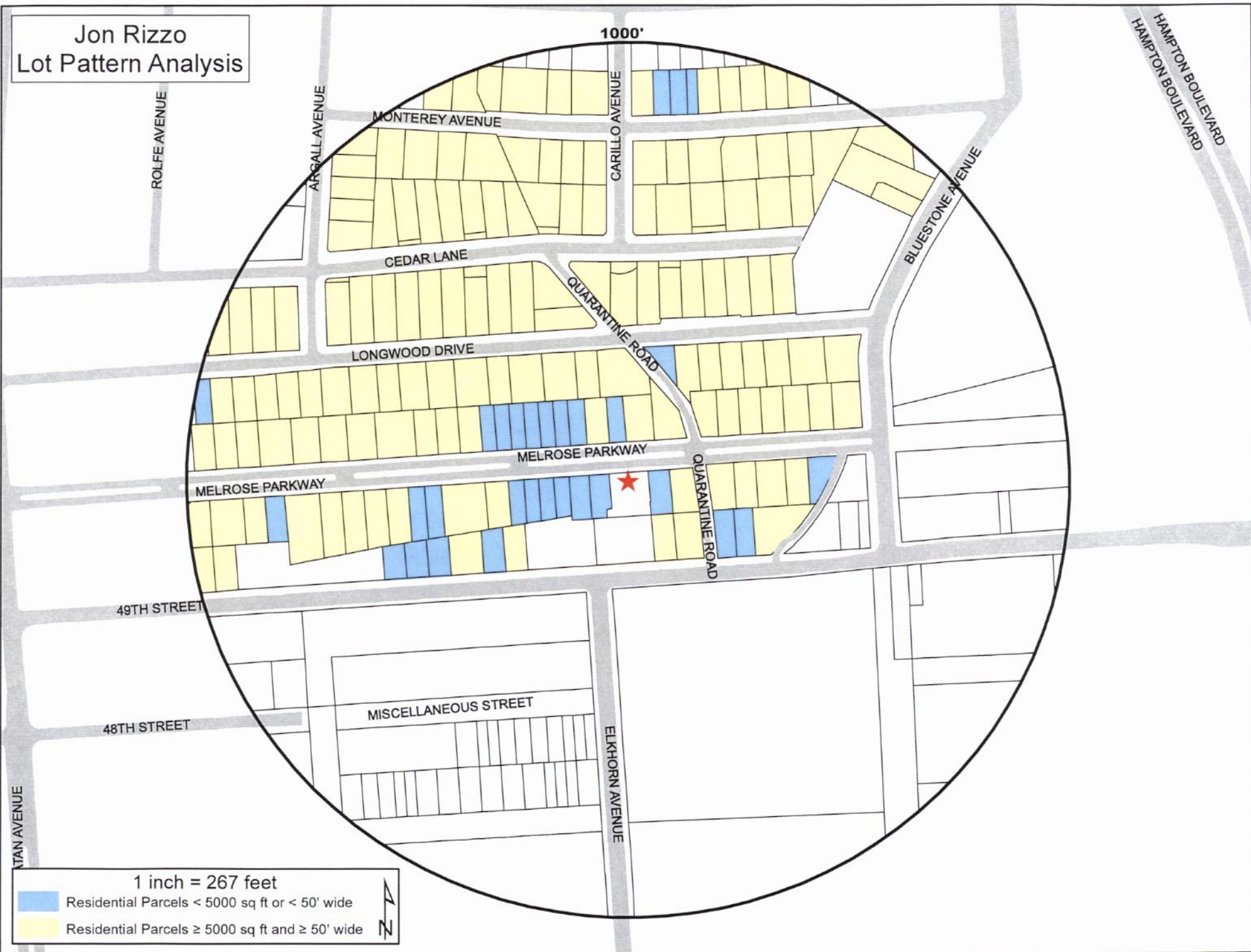
JON RIZZO

	Commercial		Multifamily		Single Family Suburban
	Downtown		Multifamily Corridor		Single Family Traditional
	Industrial		Office		Single Family Urban
	Institutional		Open Space/Recreation		Utility/Transportation
	Military		Residential Mixed		

0 30 60 120 Feet



Jon Rizzo Lot Pattern Analysis





**APPLICATION
CONDITIONAL CHANGE OF ZONING**

Date of application: 10.23.15

Conditional Change of Zoning

From: R-8 Zoning To: Conditional R-9 Zoning

DESCRIPTION OF PROPERTY

Property location: (Street Number) 1345 (Street Name) MELROSE PARKWAY

Existing Use of Property: VACANT LOT

Current Building Square Footage N/A

Proposed Use 2 SINGLE FAMILY DWELLING UNITS

Proposed Building Square Footage N/A

Trade Name of Business (If applicable) _____

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) RIZZO (First) JOHN (MI) A

Mailing address of applicant (Street/P.O. Box): 6239 POWHATAN AVE

(City) NORFOLK (State) VA (Zip Code) 23508

Daytime telephone number of applicant (757) 437-9371 Fax (757) 425-9965

E-mail address of applicant: JRIZZO@JRMALASSOCIATES.COM

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Application
Rezoning
Page 2

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) _____ (First) _____ (MI) _____

Mailing address of applicant (Street/P.O. Box): _____

(City) _____ (State) _____ (Zip Code) _____

Daytime telephone number of applicant () _____ Fax () _____

E-mail address of applicant: _____

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Wingfield (First) Margaret (MI) R

Mailing address of property owner (Street/P.O. box): 1616 Joan Dr.

(City) Norfolk (State) VA (Zip Code) 23502

Daytime telephone number of owner (757) 461-0414 email: jameswing33@aol.com

CIVIC LEAGUE INFORMATION

Civic League contact: DAVID ODGILL

Date(s) contacted: 9/17/15

Ward/Super Ward information: WARD 2, WINN, WARD 6

FROM : 06/18/2008 15:49 17574177578 FAX NO. :

Oct. 22 2015 05:29PM P1

**Application
Rezoning
Page 3****CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

* **MARGARET R. WINGFIELD** Sign: Margaret R. Wingfield 10/22/2015
Print name: _____ (Property Owner or Authorized Agent of Signature) (Date)

Print name: _____ Sign: _____
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____
(Authorized Agent Signature) (Date)

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: _____ Sign: _____ / _____ / _____
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Jon Rizzo Sign: [Signature] 10/26/15
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

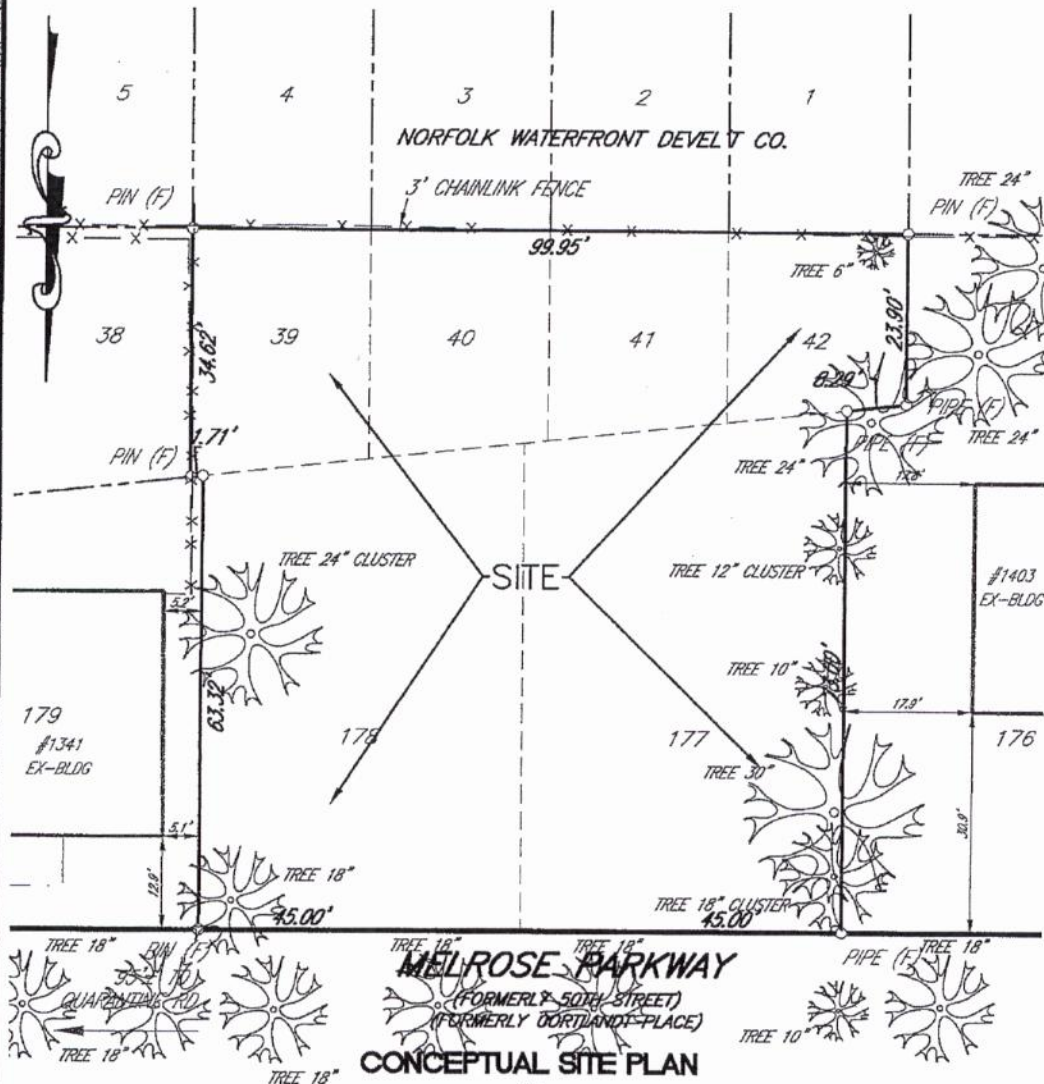
Print name: _____ Sign: _____ / _____ / _____
(Authorized Agent Signature) (Date)

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CONCEPTUAL SITE PLAN
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SHEET 1 of 3
9-24-15

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1345 Melrose Parkway
Proffered Conditions

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800 Juniper Crescent, Suite A, Chesapeake, Va. 23320
OFFICE: 757.671.9000 FAX: 757.671.9288

SHEET 3 of 3
9-24-15

Blough, Christopher

From: Straley, Matthew
Sent: Tuesday, October 27, 2015 4:27 PM
To: 'davidodell2@cox.net'
Cc: Whibley, Terry; Winn, Barclay; Wilson, Denise; Simons, Matthew
Subject: new Planning Commission application - 1345 Melrose Parkway
Attachments: Jon Rizzo.pdf

Mr. O'Dell,

Attached please find the application for a change of zoning from R-8 (Single-Family) district to conditional R-9 (Single-Family) district at 1345 Melrose Parkway.

The purpose of this request is to allow for the construction of two single-family homes where only one is permitted under the current zoning district.

The item is tentatively scheduled for the December 10, 2015 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Matt Simons* at (757) 664-4750, matthew.simons@norfolk.gov

Thank you.

Matthew Straley

GIS Technician II

Norfolk Department of City Planning

810 Union Street, Suite 508 | Norfolk, Virginia 23510

Matthew.Straley@norfolk.gov | Tel: 757-664-4769 | Fax: 757-441-1569